

Message Text

PAGE 01 STATE 118768

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ORIGIN EA-06

INFO OCT-01 SS-14 ISO-00 ACDA-10 PM-03 SP-02 L-01 OES-02

IO-03 NSCE-00 NSC-05 DODE-00 PCH-02 INR-05 CIAE-00

PRS-01 SAJ-01 /056 R

DRAFTED BY ACDA/IR:WGIVAN/DBLACK:EA/ANP:LMOSE

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S E C R E T STATE 118768

LIMDIS

E.O. 11652: GDS

TAGS:PARM, PFOR, NZ, AS, XP

SUBJECT:POSSIBLE NEW ZEALAND PROPOSAL FOR SOUTH PACIFIC

NUCLEAR FREE ZONE (SPNFZ)

SECRET

PAGE 02 STATE 118768

REF: (A) WELLINGTON 885; (B) STATE 89802; (C) GENEVA 3406;

(D) WELLINGTON 1361 (ALL NOTAL)

1. SUMMARY: THIS MESSAGE PROVIDES GENERAL GUIDANCE ON US

APPROACH TO QUESTION OF A SOUTH PACIFIC NUCLEAR FREE ZONE AS WELL AS SPECIFIC COMMENTS AIMED AT DISSUADING NEW ZEALAND FROM PROCEEDING WITH VERSION OF SPNFZ PROPOSAL OUTLINED TO US AMBASSADOR IN EARLY APRIL. END SUMMARY.

2. DURING ANZUS COUNCIL MEETING IN WASHINGTON APRIL 25 QUESTION OF SPNFZ WAS ADDRESSED BRIEFLY UNDER AGENDA ITEM III (DISARMAMENT AND NUCLEAR PROLIFERATION). MINISTER FAULKNER REPEATEDLY STRESSED THAT NZ CONCEPT CONCERNED A NUCLEAR WEAPONS RPT WEAPONS FREE ZONE, SAYING THAT NUCLEAR POWER WAS NOT THE ISSUE. (HE PREDICTED THAT NZ WOULD NEED AND HAVE NUCLEAR POWER STATIONS BY 1990). WHEN US SIDE RESPONDED WITH ITS CONCERNS REGARDING SPNFZ, FAULKNER REPLIED THAT GNZ "WELL APPRECIATED" US POSITION BUT WAS "PUBLICLY COMMITTED" TO SPNFZ CONCEPT, ADDING THAT "WE HAVE TO BE SEEN MOVING" ON THE ISSUE. FONSEC CORNER ADDED THAT GNZ HAS

"PRETTY FIRM INTENTION" TO INTRODUCE RESOLUTION AT NEXT UNGA ENDORSING CONCEPT OF SPNFZ AND CALLING FOR "STUDY" OF SUCH A PROPOSAL. (COMMENT: IN THIS CONNECTION SEE REF (B) PARA 3). US SIDE EXPRESSED HOPE THAT GNZ WOULD CONSULT CLOSELY WITH US BEFORE GOING PUBLIC IN UN. FAULKNER NODDED. FOR AUSTRALIA, WILLESEE NOTED WIDESPREAD SYMPATHY AT LAST UNGA FOR NFZ CONCEPT, THOUGHT THAT SPNFZ COULD HAVE POTENTIAL "VALUES," BUT (HELPFULLY) CAUTIONED ABOUT PROBLEMS IF ATTEMPT MADE TO EXTEND SUCH A ZONE TO COVER HIGH SEAS, IN THIS REGARD SPECIFYING POSSIBLE LIMITATIONS ON MOBILITY OF NUCLEAR DETERRENT.

3. WE FURTHER EXPRESSED OUR CONCERNS IN GENERAL TERMS TO ROWLING DURING HIS VISIT TO WASHINGTON ON MAY 7, AND HE ASSURED US THAT GNZ WOULD CONSULT WITH USG BEFORE MAKING PROPOSAL AT UN. ROWLING ALSO ASSURED US THERE WOULD BE NO PROBLEM WITH RESPECT TO TRANSIT, AND EXPRESSED OPINION WE COULD COME TO AN AGREEMENT. IN MAY 9 GENERAL DEBATE STATEMENT AT NON-PROLIFERATION TREATY REVIEW CONFERENCE NOW
SECRET

PAGE 03 STATE 118768

UNDER WAY IN GENEVA, NEW ZEALAND REPRESENTATIVE INDICATED GNZ INTEREST IN PROMOTING SPNFZ (REF (C) PARA 10).

4. FROM US STRATEGIC-SECURITY POINT OF VIEW, SPNFZ APPROACH HAS LITTLE TO RECOMMEND IT. BASIC DIFFICULTIES STEM FROM FACTS THAT SOUTH PACIFIC IS AN AREA WHERE WE HAVE TERRITORY (AMERICAN SAMOA, ETC.), WHERE WE HAVE ALLIES TO WHOM WE ARE COMMITTED BY TREATY (ANZUS), AND WHERE OUR NAVY AND MERCHANT MARINE HAVE LONG BEEN PRESENT. USSR AND PRC HAVE NO COMPARABLE RELATIONSHIP TO SOUTH PACIFIC. IF SPNFZ WERE TO RESTRICT US NAVAL/MILITARY PASSAGE OR PORT CALLS IN THE AREA, IT COULD IMPACT MUCH MORE HEAVILY ON US STRATEGIC CONSIDERATIONS THAN ON THOSE OF POTENTIAL HOSTILE NUCLEAR POWERS. MOREOVER, IN WAKE OF RECENT DEVELOPMENTS IN SEA,

MOVE TO ESTABLISH SPNFZ COULD BE INTERPRETED IN PART AS AN EFFORT TO FORCE US NAVAL WITHDRAWAL FROM AN AREA IN WHICH WE HAVE LONG BEEN INVOLVED, PARTICULARLY IF THERE WERE IMPLICATIONS THAT SPNFZ WOULD APPLY IN ANY WAY TO HIGH SEAS.

5. NOTWITHSTANDING THESE FACTORS SPECIFICALLY APPLICABLE TO SOUTH PACIFIC AREA, WE WISH TO AVOID GIVING NEW ZEALAND OR AUSTRALIA INCORRECT IMPRESSION THAT WE ARE AGAINST NUCLEAR FREE ZONES PER SE, THAT WE DO NOT SHARE THEIR CONCERN OVER NUCLEAR PROLIFERATION PROBLEMS, OR THAT WE ARE UNWILLING TO CONSIDER SERIOUSLY ANY CONSTRUCTIVE ARMS CONTROL PROPOSALS IN WHICH THEY MAY HAVE AN INTEREST. WE BELIEVE, THEREFORE, THAT ARGUMENTATION AGAINST PRESSING ANY SPNFZ PROPOSAL AT THIS TIME, EXCEPT "STUDY" OR SIMILAR NON-COMMITTED APPROACH (BUT SEE LAST PARA OF THIS MESSAGE), SHOULD NOTE FAVORABLE US ATTITUDE TOWARD NFZ APPROACHES

PROVIDED THEY MEET CRITERIA WE APPLY GENERALLY, BUT FOCUS ON OUR INABILITY TO ENVISAGE HOW SUCH AN ARRANGEMENT IN SOUTH PACIFIC REGION UNDER CURRENT CIRCUMSTANCES COULD COMPORT WITH ONE OF THOSE CRITERIA: THAT THE PROPOSED NFZ SHOULD NOT DISTURB NECESSARY SECURITY ARRANGEMENTS (SEE REF (B) PARA 2).

6. FOLLOWING COMMENTS ON MEMORANDUM AND OUTLINE SPNFZ PROPOSAL CONTAINED IN REF (A) ARE FRAMED WITH ABOVE CONSIDERATIONS IN MIND AND WITH SPECIFIC OBJECTIVE OF ASSIST-
SECRET

PAGE 04 STATE 118768

ING EMBASSY WELLINGTON IN DISSUADING GNZ FROM LAUNCHING PROPOSAL THAT COULD BE DISADVANTAGEOUS TO US AND ANZUS SECURITY INTERESTS. EMBASSY SHOULD USE COMMENTS TO MAKE US ATTITUDE CLEAR TO APPROPRIATE NEW ZEALAND OFFICIALS. IN ADDITION, WE UNDERSTAND THAT SUBSTANCE AND PERHAPS TEXT OF THIS PROPOSAL HAVE BEEN SHARED WITH AUSTRALIANS. EMBASSY CANBERRA SHOULD THEREFORE DRAW ON COMMENTS AS APPROPRIATE TO ENSURE THAT AUSTRALIANS ARE AWARE OF MAJOR US PROBLEMS WITH PROPOSAL AS OUTLINED BELOW.

7. COVERING LETTER FROM CORNER CONVEYING PROPOSAL (REF A, PARA 3) NOTES THAT NEW ZEALAND IS "ANXIOUS TO ENSURE THAT ANZUS PARTNERSHIP SHOULD REMAIN UNIMPAIRED AND THAT NONE OF ITS MEMBERS WOULD BE PLACED AT A MILITARY DISADVANTAGE BECAUSE OF THE CREATION OF A NUCLEAR WEAPONS FREE ZONE IN OUR REGION." WE, OF COURSE, FULLY SHARE THIS CONCERN. HOWEVER, PROPOSAL AS FORMULATED SEEMS TO US TO BE TROUBLESOME ON PRECISELY THIS GROUND, I.E., IT COULD IMPAIR ANZUS PARTNERSHIP AND PLACE US AT A MILITARY DISADVANTAGE VIS-A-VIS OTHER NUCLEAR WEAPON STATES.

8. PARA 3 AND SUBSEQUENT PARTS OF PROPOSAL IMPLY THAT INTENTION IS TO EXTEND SPNFZ TO HIGH SEAS, CONDITIONAL UPON

"ACCEPTANCE OF TREATY ARRANGEMENTS BY ALL THE NUCLEAR WEAPON POWERS, A DEVELOPMENT THAT WOULD BE UNLIKELY TO OCCUR IN THE NEAR FUTURE." IT SHOULD BE CLEAR, HOWEVER, THAT STRATEGIC SECURITY REQUIREMENTS OF US IN PACIFIC ARE NOT SYMMETRICAL WITH THOSE OF OTHER NUCLEAR WEAPON STATES. WE COULD FORESEE POSSIBILITY THAT SOVIET UNION AND PRC MIGHT ACCEPT "TREATY ARRANGEMENTS" SUGGESTED IN PROPOSAL, SINCE THEIR STRATEGIC INTERESTS ARE PRESUMABLY ORIENTED TOWARD CONTINENT OF ASIA. UNITED STATES, ON THE OTHER HAND, BECAUSE OF ITS ALLIANCE COMMITMENTS AND SECURITY INTERESTS IN WESTERN PACIFIC, INCLUDING ITS OBLIGATIONS UNDER

ANZUS TREATY, COULD NOT AGREE TO ANY NFZ PROPOSAL THAT RESTRICTED RIGHT TO TRANSIT HIGH SEAS. WHILE WE WOULD AGREE THAT ALL NUCLEAR WEAPON POWERS ARE "UNLIKELY" TO ACCEPT SUCH ARRANGEMENTS, PRACTICAL EFFECT OF SUCH A PROPOSAL MIGHT BE TO PLACE ONUS ON US OF RESISTING ARRANGEMENT THAT WOULD IN FACT GIVE STRATEGIC ADVANTAGE TO USSR AND/OR PRC.
SECRET

PAGE 05 STATE 118768

9. STRATEGIC AND SECURITY IMPLICATIONS APART, WE COULD NOT ENVISAGE EXTENDING NFZ TO HIGH SEAS IN VIEW OF LAW-OF-THE-SEA IMPLICATIONS. THIS COMMENT APPLIES TO PARA 7 OF PROPOSAL AND ITS ASSUMPTION THAT INCLUSION OF HIGH SEAS MIGHT BE NEGOTIABLE PROVIDED ALL NUCLEAR WEAPON STATES AGREE. AS WE HAVE REITERATED IN OTHER CONTEXTS, WE CANNOT ACCEPT ATTEMPTS BY STATES OF A REGION TO ESTABLISH A SPECIAL REGIME OVER A PORTION OF THE HIGH SEAS IN CONTRAVENTION OF TRADITIONAL FREEDOM OF NAVIGATION AND OVERFLIGHT WITH RESPECT TO MARITIME AREAS BEYOND NATIONAL JURISDICTION.

10. PARA 7 ALSO CONTAINS NEW ELEMENT IN SUGGESTING THAT NUCLEAR WEAPON STATES SHOULD "UNDERTAKE MUTUAL POLICING." THIS SUGGESTION STRIKES US AS POTENTIALLY DANGEROUS AND INDICATIVE OF SOME OF THE PROBLEMS INVOLVED IN CONTEMPLATING EXTENSION OF NUCLEAR FREE ZONES TO HIGH SEAS. IN PARTICULAR, WE WOULD REGARD SUCH A PROVISION AS ESSENTIALLY UNVERIFIABLE SINCE THERE WOULD BE NO WAY TO DETERMINE WHETHER A WARSHIP IN THE AREA WAS NUCLEAR ARMED. IN ADDITION, "MUTUAL POLICING" WOULD SEEM TO PROVIDE A POSSIBLE SOURCE OF TENSION AMONG NUCLEAR WEAPON STATES.

11. AS MOST GOVERNMENTS ARE AWARE, WE CONSIDER IT AN ESSENTIAL ELEMENT OF OUR SECURITY POLICY NEITHER TO CONFIRM NOR DENY PRESENCE OF NUCLEAR WEAPONS ON US WARSHIPS. WE ASSUME OTHER NUCLEAR WEAPON NAVAL POWERS WOULD FOLLOW SAME POLICY (OR CONCEIVABLY EVEN FALSELY DENY PRESENCE OF NUCLEAR WEAPONS ON SHIPS) AND WOULD RESIST--AS WE WOULD--ANY EFFORT TO VERIFY ABSENCE OF SUCH WEAPONS. IN THIS CONNECTION, PARA 12 OF PROPOSAL APPEARS TO US TO REPRESENT BASIC MISREADING OF STRATEGIC SECURITY REQUIREMENTS FOR

US. WHETHER OR NOT WE PRESENTLY DEPLOY NUCLEAR WEAPONS IN SOUTH PACIFIC, IT IS IMPORTANT TO US TO MAINTAIN OPTION TO DO SO IF NECESSARY TO MEET ALLIANCE COMMITMENTS AND PROTECT US SECURITY INTERESTS.

12. PARA 16 OF GNZ PROPOSAL OBSERVES THAT THE "QUESTION OF TRANSIT IS A THORNY ONE." ALTHOUGH PARA GOES ON TO CITE FACT THAT LANFZ TREATY INTENTIONALLY DOES NOT CIRCUMSCRIBE
SECRET

PAGE 06 STATE 118768

STATE'S RIGHT TO GRANT OR DENY TRANSIT OR TRANSPORT PRIVILEGES (I.E., WITHIN NATIONAL TERRITORIES AND TERRITORIAL

WATERS), AND PROPERLY NOTES US UNDERSTANDING RE ADDITIONAL PROTOCOL II OF TREATY, THE NEW ZEALAND PROPOSAL SEEMS TO BE SILENT ON THIS MATTER. WE STRONGLY BELIEVE THAT QUESTIONS OF TRANSIT OR TRANSPORT PRIVILEGES SHOULD BE REGARDED AS BILATERAL ISSUES (AS THEY ARE BY LANFZ PARTIES) NOT TO BE INCLUDED IN ANY NUCLEAR FREE ZONE TREATY ARRANGEMENT. WE ALSO FIRMLY BELIEVE THAT OUR ALLIES SHOULD NOT PROPOSE A TREATY THAT WOULD HAVE THE EFFECT OF EXCLUDING US WARSHIPS OR AIRCRAFT FROM COMING TO THEIR NATIONAL TERRITORIES.

13. ON SEVERAL OCCASIONS, INCLUDING US STATEMENT ON NON-PROLIFERATION AT 1974 UNGA, WE HAVE EMPHASIZED IMPORTANCE WE ATTACH TO PROSCRIPTION OF INDIGENOUS PEACEFUL NUCLEAR EXPLOSIONS (PNES) IN ANY NUCLEAR FREE ZONE ARRANGEMENT. WHILE OUR PROBLEMS WITH SPNFZ PROPOSAL IN REF (A) ARE BASED PRIMARILY ON STRATEGIC CONSIDERATIONS ADDRESSED ABOVE, WE NOTE THAT PROPOSAL FAILS TO DEAL WITH PNE ISSUE. PARA 5 (3) NOTES THAT ZONE MIGHT BE A "SUPPLEMENT" OR "ALTERNATIVE" TO THE NON-PROLIFERATION TREATY. YET THE DRAFT IS SILENT ON PNE QUESTION, WHICH IS AMONG THE MOST IMPORTANT ASPECTS OF THE OVERALL PROLIFERATION PROBLEM. (ON OTHER HAND, GNZ REP AT NPT REVIEW CONFERENCE, IN CONNECTION WITH SPNFZ EXPRESSLY (AND IN OUR VIEW PROPERLY) STATED THAT NFZS MUST NOT DEPART FROM NPT PROVISIONS CONCERNING CONDUCT OF PNES. (REF (C) PARA 10)).

14. WHILE LANFZ TREATY IS CITED SEVERAL TIMES, NO REFERENCE IS MADE TO PROVISIONS OF THAT TREATY RELATING TO PNES. TO STRESS OUR POSITION ON THIS ISSUE, IT MAY BE WORTHWHILE TO REMIND GNZ OF THE US UNDERSTANDING RECORDED IN ACCEPTING LANFZ ADDITIONAL PROTOCOL II: "THAT THE UNITED STATES GOVERNMENT CONSIDERS THAT THE TECHNOLOGY OF MAKING NUCLEAR EXPLOSIVE DEVICES FOR PEACEFUL PURPOSES IS INDISTINGUISHABLE FROM THE TECHNOLOGY OF MAKING NUCLEAR WEAPONS, AND THAT NUCLEAR WEAPONS AND NUCLEAR EXPLOSIVE DEVICES FOR PEACEFUL PURPOSES ARE BOTH CAPABLE OF RELEASING NUCLEAR ENERGY IN AN UNCONTROLLED MANNER AND HAVE THE COMMON GROUP OF CHARACTERISTICS OF LARGE AMOUNTS OF ENERGY GENERATED
SECRET

PAGE 07 STATE 118768

INSTANTANEOUSLY FROM A COMPACT SOURCE. THEREFORE THE UNITED STATES GOVERNMENT UNDERSTANDS THE DEFINITION CONTAINED IN ARTICLE 5 OF THE TREATY AS NECESSARILY ENCOMPASSING ALL NUCLEAR DEVICES."

15. WE NOTE THAT SUB-PARA 5 (7) LISTS AS ONE OBJECTIVE OF THE PROPOSED SPNFZ A SECURITY GUARANTEE BY NUCLEAR WEAPON STATES NOT TO USE OR THREATEN TO USE NUCLEAR WEAPONS AGAINST (NON-NUCLEAR) COUNTRIES IN THE ZONE. WE HAVE PUBLICLY EXPRESSED OUR UNDERSTANDING THAT NFZ PROPONENTS ARE

ENTITLED TO SEEK VARIOUS "GUARANTEES" BY NUCLEAR WEAPON STATES, BUT WE WOULD BE CONCERNED WERE NON-USE ASSURANCES TREATED AS A MAJOR OBJECTIVE OF NUCLEAR FREE ZONES. THIS WOULD SEEM TO US TO UNDERPLAY OTHER OBJECTIVES OF NFZS, NOTABLY ENHANCEMENT OF REGIONAL STABILITY THROUGH COMMITMENT THAT NEIGHBORS WILL NOT ACQUIRE NUCLEAR WEAPONS. IN PRACTICAL TERMS, IF NON-USE ASSURANCES BY NWS BECAME PRECONDITION FOR PROGRESS ON NFZS, THIS COULD DISCOURAGE SERIOUS WORK ON THEM. IN THIS REGARD, GNZ IS PRESUMABLY AWARE OF OUR POSITION THAT WHETHER OR NOT WE COULD CONSIDER GIVING SUCH GUARANTEES UNDER ANY NFZ COULD ONLY BE SETTLED AT LATER STAGE WHEN ALL ELEMENTS OF ZONE ARRANGEMENTS HAVE BEEN WORKED OUT.

16. IN SUM, WE WOULD HOPE THAT ALL THE CONSIDERATIONS SET OUT ABOVE, IN PARTICULAR THOSE RELATING TO OUR MUTUAL STRATEGIC AND SECURITY INTERESTS, WILL PERSUADE THE GNZ NOT TO PURSUE SPNFZ INITIATIVE OF THE SORT CONVEYED IN REF (A). HOWEVER, THIS SHOULD NOT BE TAKEN TO SIGNIFY US UNWILLINGNESS TO CONSIDER SERIOUSLY CONSTRUCTIVE ARMS CONTROL PROPOSALS IN WHICH GNZ (OR GOA) MAY BE INTERESTED. (EMBASSIES SHOULD DRAW ON PARA 5 ABOVE TO AMPLIFY THIS POINT).

17. FOR WELLINGTON: IF YOU DEEM IT OPPORTUNE, YOU MIGHT ADD FOLLOWING REGARDING GNZ'S POSSIBLE SPNFZ INITIATIVE IN UN: PURSUANT TO 1974 UNGA RES 3261 F, AD HOC GROUP OF GOVERNMENTAL EXPERTS WILL CONVENE IN GENEVA JUNE 23 TO UNDERTAKE "COMPREHENSIVE STUDY OF THE QUESTION OF NUCLEAR-WEAPON-FREE ZONES IN ALL OF ITS ASPECTS", TO BE TRANSPARENT

PAGE 08 STATE 118768

MITTED TO ASSEMBLY THIS FALL. BEFORE DECIDING TO INITIATE NEW RESOLUTION ON SPNFZ, GNZ MIGHT WANT TO REVIEW EXPERTS' STUDY. AS GNZ IS PRESUMABLY AWARE, EXPERTS' GROUP (IN WHICH AUSTRALIA IS PARTICIPANT) IS ACCESSIBLE TO NEW ZEALAND REPRESENTATIVE SHOULD GNZ WISH TO PUT FORWARD ITS VIEWS ON ANY ASPECTS OF NFZ QUESTION, EITHER IN WRITING OR

VIA ORAL PRESENTATION OR BOTH (SEE REF B, PARA 3). INGERSOLL

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Message Attributes

Automatic Decaptioning: Z
Capture Date: 26 AUG 1999
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: POLICIES, NUCLEAR FREE ZONES
Control Number: n/a
Copy: SINGLE
Draft Date: 21 MAY 1975
Decaption Date: 28 MAY 2004
Decaption Note: 25 YEAR REVIEW
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: ElyME
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1975STATE118768
Document Source: ADS
Document Unique ID: 00
Drafter: ACDA/IR:WGIVAN/DBLACK:EA/ANP:LMOSE
Enclosure: n/a
Executive Order: 11652 GDS
Errors: n/a
Film Number: D750178-0826
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1975/newtext/t197505103/baaaakih.tel
Line Count: 330
Locator: TEXT ON-LINE, TEXT ON MICROFILM
Office: ORIGIN EA
Original Classification: SECRET
Original Handling Restrictions: LIMDIS
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 7
Previous Channel Indicators:
Previous Classification: SECRET
Previous Handling Restrictions: LIMDIS
Reference: n/a
Review Action: RELEASED, APPROVED
Review Authority: ElyME
Review Comment: n/a
Review Content Flags:
Review Date: 14 APR 2003
Review Event:
Review Exemptions: n/a
Review History: RELEASED <14 APR 2003 by GarlanWA>; APPROVED <03 NOV 2003 by ElyME>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
05 JUL 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: n/a
TAGS: PARM, PFOR, NZ, AS, XP, US
To: WELLINGTON
CANBERRA INFO USUN N Y
GENEVA
JAKARTA
CINCPAC
SUVA BY POUCH

PORT MORESBY

Type: TE

Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 05 JUL 2006